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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/674,996	11/02/2000	William Edward James	25529-02	1327	
75	90 10/31/2002				
John B Hardaway III			EXAMINER		
P O Box 10107 Greenville, SC 29603			NGUYEN, TAM M		
) The second se			ART UNIT	PAPER NUMBER	
			3764		
				DATE MAILED: 10/31/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

				SM			
Offic Action Summary		Application No.	Applicant(s)				
		09/674,996	JAMES, WILLIAM	EDWARD			
		Examiner	Art Unit				
		Tam Nguyen	3764				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status							
1) 🗌	Responsive to communication(s) filed on	•					
2a)☐	This action is FINAL. 2b)⊠ T	his action is non-final.					
3) [closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
• —	Claim(s) <u>1-16</u> is/are pending in the application						
4a) Of the above claim(s) is/are withdrawn from consideration.							
•	Claim(s) is/are allowed.						
À	Claim(s) is/are rejected.						
·	Claim(s) is/are objected to.						
8) Claim(s) <u>1-16</u> are subject to restriction and/or election requirement. Application Papers							
9)□ T	he specification is objected to by the Examin	er.					
10)∏ T	The drawing(s) filed on is/are: a)☐ acce	epted or b) objected to by t	he Examiner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12)☐ The oath or declaration is objected to by the Examiner.							
Priority u	nder 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a) ☐ All b) ☐ Some * c) ☐ None of:							
	 Certified copies of the priority document 	ts have been received.					
:	Certified copies of the priority document	ts have been received in A	application No				
	 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
		·		application).			
 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 							
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s)							
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s).							
2) Notice	e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of	Informal Patent Application (PTC				

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DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species A: Fig.1

Species B: Fig. 4

Species C: Fig.9

Species D: Fig. 14

Species E: Fig.17

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 703-305-0784. The examiner can normally be reached on M-F 9-5.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

October 24, 2002

Jerome W. Donnelly Primary Examiner